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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,028	06/27/2001	Paul Karlstedt	975.340USW1	5698

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EXAMINER

CHO, UN C

ART UNIT	PAPER NUMBER
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2687

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/893,028

Applicant(s)

KARLSTEDT ET AL.

Examiner

Un C. Cho

Art Unit

2687

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) 1-20, 27 and 28 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-26 and 29-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 21, 25 and 29 – 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Syed et al. (US 6,038,451) in view of Segal et al. (US 6,124,810).

Regarding claim 21, Syed discloses a method for generation and transmission of messages in a mobile telecommunication network, comprising the steps of: monitoring the location of a mobile subscriber terminal within the mobile telecommunications network using location information generated by, and available for said network, said monitoring being effected by repeatedly retrieving data corresponding to the location of said mobile subscriber terminal from a location register of the network (Syed, Col. 2, lines 53 – 58); comparing the monitored location with a predetermined location within said network (Syed, Col. 2, lines 59 – 62); judging, whether the monitored location corresponds to said predetermined location (Syed, Col. 2, lines 38 – 42).

However, Syed as applied above does not specifically disclose if the result of judging is positive, sending a predetermined voice or data message from said network to another terminal, wherein said another terminal is a predetermined subscriber terminal; and defining said predetermined terminal as a terminal which

has issued a request for a value added service. In an analogous art, Segal discloses sending a predetermined voice or data message from said network to another terminal, wherein said another terminal is a predetermined subscriber terminal (vehicle, Fig. 1, 108 transmits a message to the dispatcher, Fig. 1, 102 when the position of vehicle is within a predetermined distance from one of the planned stops in the destination information, Segal, Col. 9, line 66 through Col. 10, line 27); and defining said predetermined terminal as a terminal which has issued a request for a value added service (Segal, Col. 3, line 65 through Col. 4, line 62). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the technique of Alperovich to the system of Syed in order to provide an apparatus and method for determining the status of a vehicle in transit, in particular, determining if a vehicle has arrived or departed from a planned or an unplanned stop, while minimizing or completely eliminating the need for driver intervention.

Regarding claim 25, Syed in view of Segal as applied above discloses that the home location register has record of the location of each mobile unit present within the range of an associated mobile services switching center is kept (Syed, Col. 4, lines 63 – 67).

Regarding claim 29, Syed in view of Segal as applied above discloses that the request contains at least an identification of the predetermined terminal (registered wireline terminal) and location information for the predetermined terminal (registered wireline terminal) (Syed, Col. 3, lines 43 – 50).

Regarding claim 30, Syed in view of Segal as applied above discloses defining the predetermined location based on the location information for the predetermined terminal (Syed, Col. 3, lines 40 – 50).

Regarding claim 31, Syed in view of Segal as applied above discloses that the location information available for the network is cell information (Syed, Col. 3, lines 59 – 61).

Regarding claim 32, Syed in view of Segal as applied above discloses that the location information available for the network is location area information (Syed, Col. 3, lines 59 – 61).

Regarding claim 33, the claim is interpreted and rejected for the same reason as set forth in claim 21.

Regarding claim 34, the claim is interpreted and rejected for the same reason as set forth in claim 21.

3. Claims 22 – 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Syed in view of Segal and further in view of Stenman et al. (US 6,223,029).

Regarding claim 22, Syed in view of Segal as applied above does not specifically disclose a data message being a SMS message. In an analogous art, Stenman discloses data message being a SMS message (Stenman, Col. 7, lines 33 – 35). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the technique of Stenman to the modified system of Syed and Segal in order to provide the mobile station with

dual functionalities so that it is able to provide normal telephony functions and act as a remote control unit for a variety of peripheral devices accessible through some type of local area communication system or related communication system.

Regarding claim 23, Syed in view of Segal and further in view of Stenman as applied above discloses a control signal for remotely controlling peripheral device assigned to another terminal (Stenman, Col. 7, lines 49 – 52).

Regarding claim 24, the claim is interpreted and rejected for the same reason as set forth in claim 23.

4. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Syed in view of Segal and further in view of Brennan et al. (US 5,329,578).

Regarding claim 26, Syed in view of Alperovich as applied above does not specifically disclose that the message is transmitted only within a predetermined time range. In an analogous art, Brennan discloses that a predetermined message is transmitted only within a predetermined time range (Brennan, Col. 6, lines 53 – 64). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the technique of Brennan to the modified system of Syed and Segal in order to provide a personal communication system which can be easily integrated with a network and be able to offer incoming call management and communication mobility while making use of the network based features.

***Response to Arguments***

5. Applicant's arguments with respect to claims 21 – 34 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Un C. Cho whose telephone number is (571) 272-7919. The examiner can normally be reached on M ~ F 8:00AM to 4:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
SONNY TRINH  
PRIMARY EXAMINER

Un C Cho  
Examiner  
Art Unit 2687

10/19/05 